



# Journal of the House

State of Indiana

113th General Assembly

First Regular Session

Fifth Meeting Day

Tuesday Morning

January 14, 2003

The House convened at 10:00 a.m. with the Speaker in the Chair.

The invocation was offered by Pastor J. Rodney Rudd, Grace Baptist Church, Portage, the guest of Representative Duane Cheney.

The Pledge of Allegiance to the Flag was led by Representative Earl L. Harris.

The Speaker ordered the roll of the House to be called:

T. Adams	Kromkowski
Aguilera	Kruse
Alderman	Kuzman ☐
Austin	LaPlante ☐
Avery	L. Lawson
Ayres	Lehe
Bardon	Leonard
Becker	Liggett
Behning	J. Lutz ☐
Bischoff	Lytle
Borror	Mahern
Bosma	Mangus ☐
Bottorff	Mays
C. Brown	McClain
T. Brown	Moses
Buck	Murphy
Budak	Neese
Buell	Noe
Burton	Orentlicher
Cheney	Oxley
Cherry	Pelath
Chowning	Pflum
Cochran	Pierce
Crawford	Pond
Crooks	Porter
Day	Reske
Denbo	Richardson
Dickinson	Ripley
Dobis	Robertson
Duncan	Ruppel
Dvorak	Saunders
Espich	Scholer
Foley	V. Smith
Frenz ☐	Stevenson
Friend	Stilwell
Frizzell	Stine
Fry	Stutzman
GiaQuinta ☐	Summers
Goodin	Thomas
Grubb	Thompson
Gutwein	Torr
Harris	Turner
Hasler	Ulmer
Heim	Weinzapfel
Herrell	Welch
Hinkle	Whetstone
Hoffman	Wolkins
Kersey	D. Young ☐
Klinker	Yount ☐
Koch	Mr. Speaker

Roll Call 5: 92 present; 8 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, January 15, 2003, at 1:00 p.m.

CHENEY

Motion prevailed.

## INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

### HB 1324 — Goodin (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

### HB 1325 — Goodin (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

### HB 1326 — Goodin (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

### HB 1327 — Goodin (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

### HB 1328 — T. Adams, D. Young (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

### HB 1329 — T. Adams, Liggett (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

### HB 1330 — T. Adams, D. Young (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning the lottery and to make an appropriation.

### HB 1331 — T. Adams, Alderman, Herrell (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

### HB 1332 — T. Adams, D. Young (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

### HB 1333 — T. Adams, Herrell, Reske (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

### HB 1334 — T. Adams, Torr, J. Lutz, D. Young (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning daylight saving time.

### HB 1335 — T. Adams, Ruppel (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1336** — T. Adams, Kruse (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1337** — T. Adams, Liggett (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1338** — Chowning (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1339** — Chowning (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1340** — Pelath, Fry (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1341** — Pelath (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1342** — Kromkowski (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1343** — Kromkowski (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1344** — Kromkowski, L. Lawson (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1345** — Kromkowski (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1346** — Kromkowski (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1347** — Kromkowski (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1348** — Kromkowski (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1349** — Goodin (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education finance and to make an appropriation.

**HB 1350** — Buck (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1351** — Denbo (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

**HB 1352** — Moses (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1353** — Moses (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1354** — Moses (Ways and Means)

A BILL FOR AN ACT concerning taxation and to make an appropriation.

**HB 1355** — Moses, Wolkins (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1356** — V. Smith (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1357** — V. Smith, Klinker (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1358** — V. Smith, Klinker (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1359** — V. Smith, T. Adams, Ayres, Orentlicher (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1360** — L. Lawson, Budak (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1361** — L. Lawson, Budak (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1362** — Dobis (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**HB 1363** — Dobis (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning daylight saving time.

**HB 1364** — Dobis (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1365** — Foley, Kuzman (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

**HB 1366** — Foley, J. Lutz, Reske (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1367** — Stilwell, Foley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1368** — Foley, Weinzapfel (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

**HB 1369** — Kuzman (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

**HB 1370** — Kuzman (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1371** — GiaQuinta (Local Government)

A BILL FOR AN ACT concerning local government.

**HB 1372** — GiaQuinta (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1373** — GiaQuinta (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1374** — GiaQuinta (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state police, civil defense and military affairs.

**HB 1375** — GiaQuinta (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1376** — GiaQuinta (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1377** — Day, Buell, Moses (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1378** — Day (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1379** — Bischoff (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1380** — Bischoff (Interstate and International Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**HB 1381** — Bischoff (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1382** — Bischoff (Ways and Means)

A BILL FOR AN ACT concerning taxation.

**HB 1383** — Bischoff (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1384** — Bischoff (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1385** — Bischoff (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

**HB 1386** — Bischoff (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1387** — Bischoff (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1388** — Bischoff (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1389** — Bischoff (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1390** — Bischoff (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1391** — Bischoff (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1392** — Bischoff (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1393** — Bischoff (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1394** — Becker, C. Brown, Budak (Appointments and Claims)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1395** — Becker, C. Brown (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1396** — Torr, Scholer (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1397** — Summers, Buell (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1398** — Summers, Budak (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1399** — Summers, Budak (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1400** — V. Smith (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1401** — V. Smith (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1402** — V. Smith (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1403** — V. Smith, Dobis (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1404** — V. Smith, Foley (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1405** — Ripley (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1406** — Ripley (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1407** — Ripley (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1408** — Ayres, L. Lawson, Budak, Becker (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1409** — Ayres, L. Lawson, Richardson, Becker, Budak (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**HB 1410** — Mays, Liggett, Saunders (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1411** — Burton, Welch (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1412** — Burton (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1413** — Pond (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

**HB 1414** — Pond (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1415** — Budak, Crawford, C. Brown (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1416** — Budak, C. Brown, Welch, Becker (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1417** — Budak, Crawford, L. Lawson, Becker (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1418** — Budak, Reske, Duncan, Stevenson (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1419** — Budak, Ruppel (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1420** — Oxley (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1421** — Oxley (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1422** — Murphy, Klinker (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1423** — Murphy, Mays (Ways and Means)

A BILL FOR AN ACT concerning taxation.

**HB 1424** — Pflum, Porter (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1425** — Dvorak (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1426** — Saunders, Pflum (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages and tobacco.

**HB 1427** — Pelath (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1428** — Pelath (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1429** — Mahern, Stevenson, J. Lutz, Murphy (Commerce and Economic Development)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

**HB 1430** — Mahern, Cheney, Richardson, Behning (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1431** — L. Lawson, Becker, Ulmer (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1432** — L. Lawson, Alderman, T. Adams (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

**HB 1433** — L. Lawson, Alderman, T. Adams (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1434** — Welch, Day, Becker, Hasler (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

**HB 1435** — Welch, Lytle, Espich, Borrer (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1436** — Welch, Behning (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1437** — Welch, Reske (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1438** — Welch, C. Brown, Hasler (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

**HB 1439** — Bottorff, Cochran (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1440** — Bottorff, Cochran (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1441** — J. Lutz (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**HB 1442** — Friend, McClain (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

**HB 1443** — Reske (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

**HB 1444** — Reske (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1445** — Reske (Labor and Employment)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1446** — Reske, Koch, Chowning, Ulmer (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1447 — Whetstone (Judiciary)**

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**HB 1448 — Whetstone (Financial Institutions)**

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**HB 1449 — Whetstone (Local Government)**

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1450 — Whetstone (Ways and Means)**

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1451 — Whetstone (Appointments and Claims)**

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1452 — Welch, Dobis, Thompson (Public Health)**

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1453 — Welch (Human Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1454 — Welch (Human Affairs)**

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**RESOLUTIONS ON FIRST READING****House Concurrent Resolution 5**

Representative Stilwell introduced House Concurrent Resolution 5:

A CONCURRENT RESOLUTION to convene a Joint Session of the 113th General Assembly of the State of Indiana

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chambers of the House of Representatives at 1:00 p.m. on Wednesday, January 15, 2003, to receive the Chief Justice's message which will be given in compliance with Section 3 of Article 7 of the Constitution of the State of Indiana and the Speaker is hereby directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take thereon.

SECTION 2. That copies of the resolution be transmitted to Chief Justice Randall T. Shepard and the Indiana Senate.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Garton.

The Speaker appointed Representatives Orentlicher, Pierce, Koch, and Thomas to transmit the resolution to the Senate.

**OTHER BUSINESS ON THE SPEAKER'S TABLE****HOUSE MOTION**

Mr. Speaker: I move that a committee of four members of this House be appointed by the Speaker, to act with a like committee of the Senate, to wait upon the Chief Justice of the Indiana Supreme Court and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Orentlicher, Pierce, Koch, and Thomas be appointed by the Speaker of the House of Representatives, to act with a like committee of the Senate to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on January 15, 2003.

STILWELL

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Ayres be added as coauthor of House Bill 1062.

CHENEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representatives Koch, Chowning, and Heim be added as coauthors of House Bill 1077.

RESKE

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Ayres be added as coauthor of House Bill 1080.

CHENEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Ayres be added as coauthor of House Bill 1112.

CHENEY

Motion prevailed.

**HOUSE MOTION**

Mr. Speaker: I move that Representative Pflum be added as coauthor of House Bill 1349.

GOODIN

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 7:00 p.m. with the Speaker in the Chair.

**COMMITTEE REPORT**

Mr. Speaker: Your Committee, appointed to transmit to the Senate a resolution of this House to convene a joint convention of the two houses to receive the Governor's message, hereby reports that it has discharged the duty assigned to it and that the Senate has concurred in the House resolution and will meet the House in joint convention in the Chambers of the House of Representatives, at 7:00 p.m. on January 14, 2003, for the purpose of receiving the Governor's message.

COCHRAN  
ROBERTSON

LaPLANTE  
STUTZMAN

Report adopted.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am directed by the Senate to inform the House that

the Senate has passed House Concurrent Resolution 4 and the same is herewith returned to the House.

MARY C. MENDEL  
Principal Secretary of the Senate

#### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Alting, Dillon, Antich, and L. Lutz be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly on Tuesday, January 14, 2003."

MARY C. MENDEL  
Principal Secretary of the Senate

The Speaker introduced the honored guests as follows: Judy O'Bannon, wife of Governor O'Bannon; Maggie Kernan, wife of Lieutenant Governor Joseph Kernan; Karen Bauer, wife of Speaker B. Patrick Bauer; Amy MacDonell, wife of Chief Justice Randall Shepard; Jenny Brook, wife of Chief Judge Sanford Brook; Governor Robert Orr and his wife Mary Kay; Clerk of the Supreme and Appellate Courts Brian Bishop; Treasurer of State Tim Berry; Dr. Suellen Reed, Superintendent of Public Instruction; Secretary of State Todd Rokita and his guest Kathy Wilson; Auditor of State Connie Nass and her guest Paul Lottes; Attorney General Steve Carter and his wife Marilyn Carter; Justice Brent Dickson and his wife Jan Aikman Dickson; Justice Frank Sullivan, Jr. and his wife Cheryl Sullivan; Justice Theodore Boehm and his wife Peggy Boehm; Judge Robert Rucker and his wife Denise Rucker; Judge John Baker and his wife Peggy Baker; Judge John Sharpnack; Judge Edward Najam; Judge Patricia Riley; Judge Carr Darden and his wife Lundy Darden; Judge Mark Bailey; Judge Melissa Mattingly-May and her husband Michael May; Judge Margaret Robb; Judge Nancy Vaidik; Judge Paul Mathias; Judge Thomas Fisher; Major General George Buskirk, the Adjutant General of Indiana; Polly Zoeller, daughter of Governor and Mrs. O'Bannon; Tom Zoeller, son-in-law of Governor and Mrs. O'Bannon; Demi Zoeller, granddaughter of Governor and Mrs. O'Bannon; Chelsea Zoeller, granddaughter of Governor and Mrs. O'Bannon; Beau Zoeller, grandson of Governor and Mrs. O'Bannon; Lieutenant Governor Joseph Kernan; Chief Justice Randall Shepard; Chief Judge Sanford Brook; Reyn LeBeau; Katie Dincolo; Nicole Rossillo; Justin Person; House Minority Leader Brian Bosma; Senate President Pro Tempore Robert Garton; and Senate Minority Leader Richard Young.

The Speaker yielded the gavel to Lieutenant Governor Joseph Kernan, President of the Senate, who called the joint session to order and presented the Governor as follows:

"Members of the Joint Assembly: Pursuant to Section 13 of Article 5 of the Indiana Constitution, this joint convention of the two houses of the Indiana General Assembly is now convened for the purpose of hearing a message from the Governor of the State of Indiana.

Ladies and Gentlemen of the House and Senate, and distinguished guests, I have the high honor and distinct privilege of presenting to you the Governor of the State of Indiana, the Honorable Frank L. O'Bannon."

Governor O'Bannon was escorted to the rostrum by Representatives Cochran, Robertson, LaPlante, and Stutzman and Senators Alting, Dillon, Antich, and L. Lutz.

#### STATE OF THE STATE

Good evening, fellow Hoosiers, colleagues and friends. Speaker Bauer, Senator Garton, Senator Young, Representative Bosma, Chief Justice Shepard and Chief Judge Brook. Thank you for hosting this joint session.

Thank you, Joe Kernan, my partner in government and a great lieutenant governor. And thank you, Judy, my partner in life and a tireless worker for the state of Indiana.

Mark this day on your calendar.

Mark this day because today is the beginning of a revitalized economy in Indiana, one in which our citizens can find and keep jobs that provide a living wage.

Mark this day because it will be remembered as the day when we embraced tradition but resolved to make it better, when we recognized our strengths and committed to build on them, when we looked at the faltering national economy and said "enough."

It will be remembered as the day when government dared to say that we have a moral obligation to take care of citizens who need our help—and pledged to do our best for them.

Mark today on your calendar as the day when we started to proclaim all the wonderful and important things that make Indiana great.

Mark today as the day when we all resolved to work together to make it even better.

It is traditional, early in a new year, to take stock. And each year, when I reflect on our accomplishments and ponder our potential, I think about the 25,000 fourth graders who—along with many of you—were present two years ago when the lieutenant governor and I were sworn in for four more years of service to this great state.

Three of those children who witnessed the inauguration are with us tonight. Reyn LeBeau of Bloomington; Nicole Rossillo of Anderson; and Katie Dincolo of South Bend are sixth graders now.

When he grows up, Reyn would like to work in information technology, and also be a comic book artist. Nicole is thinking of becoming a lawyer and maybe going into politics. And Katie would like to be an elementary school teacher. Let's welcome them.

These children are, to me, embodiment of our commitment to Hoosier families. And to me, a fundamental question is: Have we done our best for them? Have we kept our commitment?

Even in these difficult times, when the state has been ravaged by recession, I think the answer is clear—yes—we have done many good things for these former fourth graders and their families and their neighbors.

But I know we can do more.

We have, in the last decade, created or improved our state services that serve Hoosiers at every step of their lives, from birth through the golden years.

We've kept our commitment to Indiana's children with our Healthy Families program, for example. Healthy Families stops the cycle of child abuse and neglect—a step now that will pay off for Hoosiers for decades.

Last fiscal year, we met with the families of more than 40,000 newborns, and we're helping nearly 9,000 families learn about appropriate discipline, child care, nutrition and other issues.

But we know there is more to do. So we are asking you to reconstitute a commission to study new ways to reduce the incidence of abuse and neglect, so that all Indiana children will be safe from fear in their own homes.

We've kept our commitment to children by providing health insurance to many who would not otherwise have it.

We have found children without insurance in Bluffton and Newburgh and Terre Haute and Crawfordsville and across the state. And we've done something about it. We have enrolled nearly half a million children in Hoosier Healthwise—which is both Medicaid and CHIP, the Children's Health Insurance Program.

We have received national recognition for our efforts, but more important—many more Hoosier children now have health care.

But we must do more. We have asked Washington to restore the money that it provided—and then jerked away—money that would allow us to help many more children get the health care they need.

We've kept our commitment to our children by moving quickly to establish the Amber Alert system ahead of schedule. God willing, we'll never need it, but we are ready in case a stranger abducts a child in Indiana.

We've kept our commitment to Hoosier children by implementing some of the most purposeful school standards in the nation.

As President Bush noted last week, Indiana is one of the first five states in the country to have its accountability program approved.

But we have more to do. We will continue to urge the federal government to fully fund its No Child Left Behind initiative.

We will press to adopt a comprehensive strategy for preschool through college so that our children's earliest learning results in their success in college and later in life.

And, with the support of the Indiana Education Roundtable and the Indiana State Board of Education, we will lay the groundwork to eventually establish the Core 40 high school curriculum—now a step above what it takes to earn a diploma—as the BASIC curriculum for high school students. That way, when our financial picture improves, we will be ready to take that important, next step.

We've kept our commitment to older students and workers who want to pursue higher education close to home by creating the state's first Community College system. Since the Community College of Indiana was launched in fall 2000, 18,500 more students are taking classes at community college sites than before. For two years, we have led the nation in enrollment growth at community colleges.

But we know that there are many more Hoosiers who can benefit from a community college, so we have strengthened the partnership between Vincennes University and Ivy Tech and taken steps to expand the system to all 23 Ivy Tech campuses this fall.

When the next school year begins, this important higher-education alternative will be available to Hoosiers across the state.

We've kept our commitment to motorists who deserve to feel safe on their roadways by strictly enforcing seat belt laws through the Click It or Ticket campaign and by using innovative techniques against drunk drivers. The result is fewer traffic deaths in 2002 than at any time since 1928.

We've kept our commitment to Hoosiers by moving to swiftly coordinate our public safety measures with federal homeland security efforts. Indiana is one of eight states and territories chosen by the National Governor's Association for best practices for homeland security and bioterrorism.

But we must do more. So state and local agencies are working together to aggressively prepare our state in the war against terrorism.

We've kept our commitment to Hoosiers who seek easy, efficient state services by creating one of the most user-friendly government Internet systems in the nation. We've received 13 top 10 rankings for e-government services from six different organizations.

But we want to make it even easier. So today we have launched a new website design that will take more Hoosiers out of line and put them online. ([www.IN.gov](http://www.IN.gov))

In 2002, more than 230,000 Hoosiers—32 percent more than the previous year—avoided lines at Bureau of Motor Vehicles branches by renewing their license plates on line.

We've kept our commitment to Hoosiers who travel for business or pleasure by investing nearly \$900 million through the Crossroads 2000 highway-construction program.

But we must do more to meet our long-term transportation needs. So we will extend Interstate 69 as a transportation, education and economic engine for cities such as Washington and Bloomfield and Petersburg and Rockport; Tell City, Huntingburg, Jasper and

Boonville, as well as Bloomington and Evansville. It will save lives by making travel safer through Southwest Indiana.

We will build two Louisville-area bridges over the Ohio River; and add capacity to the Borman Expressway in Northwest Indiana and to I-69 on the west side of Fort Wayne.

We will complete the Hoosier Heartland corridor from Logansport to Lafayette; upgrade U.S. 31 from South Bend to Indianapolis; and construct a new bypass linking Interstate 70 to U.S. 41 to relieve congestion in Terre Haute.

We've kept our commitment to our low-income seniors—11,600 of them last year—with the HoosierRx program. No longer must seniors choose between food and life-saving prescription drugs.

But we must do more, and we will continue to press those in Washington to do as we've done here—devise a workable, fair solution to this growing prescription-drug problem.

That long list certainly makes me happy to live in Indiana. It is the state that I believe in and the state that I love. And I'm sure it is the state that you love too!

The long list also inspires me to do more for those 25,000 former fourth graders and their friends and their loved ones.

We must fuel their aspirations, stimulate their imagination, kindle their enthusiasm, inspire their dreams.

We must create an Indiana where they can pursue a career that will provide a comfortable living and a happy work life. We must create an Indiana that captures their imagination and focuses their sense of purpose. We must create an Indiana that challenges their intellect but gives them peace of mind.

Work with me to make that possible. Work with me to keep that commitment. Let us work together to solve the problems of today and create an Indiana they can believe in.

It won't be easy. The recession has taken a terrible toll on Indiana, as it has on nearly every other state. But it has not broken our will.

Indeed, let me say to you that, but for this recession, we would still be enjoying the upward path of progress that we were traveling when Katie and Reyn and Nicole last visited with us. Our resolve continues on that upward path.

The challenge now that lies ahead of us—writing a two-year budget with a positive bottom line—will take great patience and stamina and courage.

Many of you in this chamber worked with us last year to repair the state budget, and I'm grateful. This administration also did what it had to do by cutting a billion dollars in spending, the largest percentage of it from the tiny portion that goes to general government.

We have cut the size of state government. And, according to several studies, we're a low-spending state. That makes it all the more difficult to find places to cut that will not inflict permanent damage on thousands of Hoosiers. Compounding that is the fact that, in any recession, more is demanded of the state at the very time when resources are dwindling.

For states, this is the worst recession since World War II. The worst in 60 years.

Last week, I proposed a budget that flatlined spending for virtually every area of general government. That means that we propose no new spending for state agencies, for public schools and for universities.

Their budgets for the next two years will be virtually the same as their budgets for this year. And don't forget that we had already cut state agencies' budgets by 7 percent from what was passed in 2001. We also asked state agencies to absorb the increased costs of fringe benefits and other unavoidable costs.

But we will live within our means, so we are proposing no new taxes. Frankly, this means that some services will be cut. It means

some pain will be inflicted. Believe me: I'm well aware that, at the very time when all of us are asking our public schools and universities to do more—we cannot give them more resources to do it.

But these steps, difficult as they are, are necessary for us to ensure a positive bottom line in the state budget for the next two years. That is our constitutional responsibility. It is our moral responsibility to take further steps to stimulate our economy, to do what we can do to pull ourselves from the depths of this recession. So tonight, we're asking you to join us, to look beyond the next two years, to envision what the future will be for those former fourth graders and other Hoosiers. A future with jobs—good jobs. A future with hope. A future with opportunity.

Thanks to the hard, bipartisan work of many of you in this chamber, we had already kept our commitment to Indiana businesses—and all working Hoosiers—by overhauling the business tax system and giving companies a reason to create jobs here.

But we must do more.

Last month, Lieutenant Governor Kernan and I launched our Energize Indiana plan. Energize Indiana will jumpstart our state's economy, create jobs, help us emerge from the national recession and lay a strong economic foundation for the future. Energize Indiana will give Hoosiers what they need and deserve—whether that's a good job, a solid education or a hand up.

It gives hope . . . and it creates dreams.

And this \$1.25 billion plan does not use a single state tax dollar. But it will create high-skill, high-wage jobs in four sectors: advanced manufacturing; life sciences; 21st century logistics, or high-tech distribution; and information technology.

It will provide venture capital for entrepreneurs, stimulate research and development, create construction jobs when we build university research facilities and match current workers with even better jobs. It will help our rural communities by providing grants and loans for economic-development investments.

Energize Indiana is an initiative for today—and for tomorrow, too.

It will help us sustain the great strides we've made in the classroom, where our students are learning what they must know to succeed in a global, high-tech economy.

It will help us eliminate the intolerable achievement gap between students of varying income levels or ethnic backgrounds. Energize Indiana will help Hoosiers complete higher education. It will shore up the budget for scholarships for low-income students so that this recession does not dash their dreams.

It also will provide scholarships for students who study in the four targeted sectors.

Justin Parson, a senior at Lawrence North High School, is the kind of student we'll be helping. He has been accepted by Rose-Hulman Institute of Technology in Terre Haute, where he plans to study mechanical engineering. Justin wants to work in robotics, which is being used now—and will be used more and more in the future—to advance and enhance manufacturing processes.

Justin is why we must Energize Indiana. Let's welcome him.

Justin is the kind of young person who can benefit from Energize Indiana. And Indiana can be energized by someone like him. We need Justin to stay here in Indiana after he graduates. And persuading him and others like him to do so is part of Energize Indiana too.

We believe that Energize Indiana will, over the next 10 years, create 200,000 new high-wage, high-skill jobs in the four targeted sectors; enroll 200,000 additional students in higher education and credential programs; and grow the state's per capita income faster than the national average.

Energize Indiana will, in short, live up to its name.

Perhaps most important, Energize Indiana will set the fiscal foundation for the state to keep its commitment to all Hoosiers—to educate our youth; to provide vital health care for our children and our elderly citizens and those with disabilities; to protect us from harm; and to provide all those services that make this state a special place to live.

We have many challenges before us. But with diligence, with care—and with strong resolve—we will meet the challenges of the upcoming biennium and we will have set a course for a brighter future.

I'm asking you to help us lay out that course, to work with us to ensure the fiscal stability of our state and to keep our commitment to all Hoosiers. I'm asking you to work with us to promote what is good and to Energize Indiana so that our state will be stronger. I'm asking you to work with us so that the dreams of Nicole and Reyn and Katie and Justin will come true.

And I'm asking you to put your minds and your creative spirit to work with us . . . so that we can make Indiana the kind of place where we all want to live; where our children want to stay; where the world comes knocking at our door; where, if we believe in one another and we say what is good about our state, we all will grow and prosper. .

And where all of us who love Indiana can cherish this place we call home.

Thank you, and good night.

The President of the Senate adjourned the joint session.

The House reconvened with the Speaker in the Chair.

On the motion of Representative Stilwell, the House adjourned at 8:00 p.m., this fourteenth day of January, 2003, until Wednesday, January 15, 2003, at 1:00 p.m.

B. PATRICK BAUER  
Speaker of the House of Representatives

DIANE MASARIU CARTER  
Principal Clerk of the House of Representatives